

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

United States of America

v.

QUADARIUS JERMAINE MCINTOSH

Defendant(s)

Case No.

1:22MJ

387



CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 27, 2022 in the county of Davidson in the
Middle District of North Carolina, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. § 922(g)(1)

Felon in Possession of a Firearm

This criminal complaint is based on these facts:

See attached Affidavit of ATF Task Force Officer K. Nick Harvey

☒ Continued on the attached sheet.

On this day, the applicant appeared before me via reliable electronic means, that is by telephone, was placed under oath, and attested to the contents of this Criminal Complaint and attached affidavit in accordance with the requirements of Fed. R. Crim. P. 4.1.

Date:

09/29/22

City and state: Greensboro, North Carolina/s/ Nick Harvey*Complainant's signature*Nick Harvey, Task Force Officer, ATF*Printed name and title*
*Judge's signature*L. Patrick Auld, U.S. Magistrate Judge*Printed name and title*

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Nick Harvey, a Task Force Officer with the Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives, being duly sworn, hereby depose and state as follows:

Affiant Background

1. I am a Task Force Officer for the Department of Justice, Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives (DOJ/ATF). I have been a sworn Law Enforcement Officer since 2004, and have been employed with Thomasville Police Department since 2017. In 2021, I was assigned to ATF Violent Crimes Task Force of the Greensboro field office and investigate violent criminal enterprises and drug trafficking organizations in Davidson, Forsyth, and Guilford Counties. Since being assigned to the ATF Violent Crimes Task Force, I have worked investigations into violent street gangs, firearms related offenses, and narcotics distribution.

2. Because this affidavit is being submitted for the limited purpose of seeking a criminal complaint, I have not set forth each and every fact learned during the course of this investigation, nor have I necessarily set forth all facts which support the authorization sought. Nor do I request that this Court rely upon any facts not set forth herein in reviewing this affidavit in support of the Application for this complaint.

3. This affidavit is made in support of a complaint against QUADARIUS JEREMIAH MCINTOSH (hereinafter "MCINTOSH"), also known as QUAN MAKAVELLI, QUAN, L.A. RICH, and MAKAVELLI of Thomasville, North Carolina, charging that on September 27, 2022, MCINTOSH committed the following federal offense: possession of a firearm by convicted felon, in violation of Title 18, United States Code, Section 922(g)(1).

Details of the Investigation

4. On September 27, 2022, at approximately 4:00 p.m., MCINTOSH who was known to Thomasville Police Vice/Narcotics Detectives R. Amos and T. Clodfelter, was recognized to be sitting in a chair outside the residence of 816 Mary James Avenue, Thomasville, North Carolina. MCINTOSH had outstanding warrants for his arrest for Common Law Robbery, Assault by Strangulation, and Larceny of a Firearm. These warrants had been confirmed by R. Amos and Clodfelter earlier in the day after MCINTOSH was seen by R. Amos and Clodfelter, but was lost before confirmation was obtained. R. Amos, Clodfelter, and Detective Reeves with Thomasville Police Department formulated a plan to approach MCINTOSH to serve him with the outstanding warrants and take him into custody. R. Amos, Clodfelter, and Reeves pulled into the driveway of 816 Mary James Avenue Thomasville, North Carolina and began to approach MCINTOSH. R. Amos, Clodfelter, and Reeves were all

wearing tactical Police SWAT vests that had "POLICE" clearly displayed on the chest. As R. Amos, Clodfelter, and Reeves approached MCINTOSH, he stood up and pulled out a black in color semi-automatic pistol from his front waistband. MCINTOSH then raised the gun toward R. Amos, Clodfelter, and Reeves. Commands of "Police" were given to MCINTOSH who turned and fled on foot. MCINTOSH ran to the right side of the house, behind, and around the back of 818 Mary James Avenue Thomasville, North Carolina. MCINTOSH was seen running into and the falling into a thick area of kudzu vines beside 818 Mary James Avenue Thomasville, North Carolina. Reeves could not see MCINTOSH'S left hand as it was hidden under the kudzu and challenged him by commanding MCINTOSH to show his hands and asking him where the gun was. MCINTOSH replied, "I threw the gun over the fence." There was a fence in the direction MCINTOSH was observed running.

5. MCINTOSH was secured and a small bag of marijuana was located where his left hand was hidden in the kudzu. The officers searched the area where MCINTOSH was placed in custody toward the fence and found a black in color Ruger EC9s 9mm semi-automatic pistol with serial number 456-92061 and eight total rounds of Luger 9mm ammunition. The gun had one round chambered to fire and seven rounds contained in the magazine.

6. Among the outstanding arrest warrants mentioned above, MCINTOSH had a warrant for his arrest for larceny of a firearm resulting from

a theft that occurred on July 25, 2022 in High Point, North Carolina. MCINTOSH was charged in the incident with the larceny of a Ruger EC9s with serial number 456-92061, the same semi-automatic pistol he threw as he fled from R. Amos, Clodfelter, and Reeves on September 27, 2022.

7. A records check for criminal history was searched on MCINTOSH confirming he was a convicted felon. MCINTOSH was charged with possession of a firearm by felon on August 11, 2016, Assault Inflicting Serious Injury of a Law Enforcement Officer on September 30, 2017 and Malicious Conduct by Prisoner on November 9, 2017. MCINTOSH was then convicted of all three offenses in the Superior Court of Davidson County in Lexington, North Carolina on March 29, 2018. MCINTOSH was sentenced to a minimum of 28 months and maximum of 43 months imprisonment.

8. As MCINTOSH was being processed following his arrest, he threatened Lieutenant W. Amos, with the Thomasville Police Department Criminal Investigations, "Amos I know where you live, when I get out I am going to kill you." MCINTOSH also threatened R. Amos saying, "I will kill you." MCINTOSH also attempted to spit on officers during processing and made attempts to bite officers and kick the windows out of police vehicles during transports to the Thomasville Police Department and Davidson County Jail.

9. A phone call was placed to North Carolina Governor's Clemency Office to verify that MCINTOSH had not received any pardons from the Governor since his felony convictions. MCINTOSH had not been issued any pardons.

10. Special Agent P. Johnson with the Bureau of Alcohol, Tobacco, Firearms, and Explosives was contacted about the Ruger EC9s semi-automatic pistol with serial number 456-92061 for an interstate commerce nexus check. Special Agent Johnson confirmed the Ruger EC9s with serial number 456-92061 had in fact affected interstate commerce, whereas the pistol was made in Prescott, AZ and was seized from MCINTOSH in Thomasville, NC.

Conclusion

11. Based on the facts set forth above, I respectfully submit that there is probable cause to believe that on or about September 27, 2022, in Davidson County, QUADARIUS JERMAINE MCINTOSH, also known as QUAN, L.A.

RICH, and MAKAVELLI, committed the following federal offense: felon in possession of a firearm, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

Respectfully submitted,

/S/ Nick Harvey

Nick Harvey
Task Force Officer
Bureau of Alcohol, Tobacco, Firearms and
Explosives

In accordance with Rule 4.1(b)(2)(A), the Affiant attested under oath to the contents of this Affidavit, which was submitted to me by reliable electronic means, on this 29th day of September, 2022, at 10:00 a.m./p.m.



L. Patrick Auld
United States Magistrate Judge
Middle District of North Carolina